

[Submitting Counsel below]

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 23-md-03084-CRB

This Document Relates to:  
  
ALL CASES

**ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED**

**TO THE COURT, THE PARTIES, AND ALL COUNSEL OF RECORD:**

Under Civil Local Rules 7-11 and 79-5(f), Plaintiffs move the Court to consider whether certain materials regarding the preservation of electronically stored information should be sealed. The materials are filed as Exhibits A-D to Plaintiffs' Motion to Enforce PTO No. 2 and to Compel Defendants to Produce Litigation Hold and Preservation Information and are partially reproduced and discussed in that Motion.

**Material to Be Filed Under Seal**

Although the Parties do not yet have a protective order, they have agreed to maintain confidentiality of sensitive documents. Specifically, Uber's counsel has requested that certain communications with Plaintiffs' counsel regarding the preservation of electronically stored documents remain confidential. Thus, Plaintiffs request the Court consider whether the following documents should be filed under seal:

Document	Description	Designating Party
Plaintiffs' Motion to Enforce PTO No. 2 and to Compel Defendants to Produce Litigation	Quotes from and references to Exhibits A-D.	Uber

Hold and Preservation Information		
Exhibit A	Letter from Uber's counsel to Plaintiffs' counsel dated 12/1/23.	Uber
Exhibit B	Email from Uber's counsel to Plaintiffs' counsel dated 12/13/23.	Uber
Exhibit C	Letter from Plaintiffs' counsel to Uber's counsel dated 11/22/23.	Uber
Exhibit D	Email from Uber's counsel to Plaintiffs' counsel dated 12/12/23.	Uber

Under Local Rule 79-5(f)(3), the Designating Party bears responsibility to establish that all of the designated material is sealable, and must "file a statement and/or declaration as described in subsection (c)(1)" of the Local Rules. None of the information at issue was marked confidential by Plaintiffs. Plaintiffs take no position at this time on whether the designated documents satisfy the requirements for sealing, and reserve the right to challenge the sealability of these documents under Civil Local Rule 79-5.

This motion complies with Civil Local Rule 7-11 and 79-5, and the following attachments accompany this motion:

1. The Declaration of Sarah R. London in Support of this Motion; and
2. A Proposed Order that lists in tabular format all material sought to be sealed.

Dated: December 14, 2023

Respectfully submitted,

By: /s/ Sarah R. London  
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